



FILE COPY

PATENT  
Attorney Docket No.: DIVER1140-3

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:  
Jay M. Short

Application No.: 09/663,620

Filed: September 15, 2000

For: COMBINATORIAL SCREENING OF  
MIXED POPULATIONS OF  
ORGANISMS

) Group Art Unit: 1645

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) Examiner: Unassigned

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CERTIFICATION UNDER 37 CFR § 1.8

I hereby certify that the documents referred to as  
enclosed herein are being deposited with the United  
States Postal Service as first class mail on this date,  
May 7, 2001, in an envelope addressed to:  
Commissioner for Patents, Washington, D.C. 20231

Jennifer Vail

(Name of person mailing paper)

Jennifer Vail

Signature

5-7-01

Date

Assistant Commissioner for Patents  
Office of Initial Patent Examination  
Customer Service Center  
Washington, D.C. 20231

TRANSMITTAL LETTER

Sir:

Transmitted herewith for filing in connection with the above-identified patent application,  
please find the following:

- (1) Request for Corrected Filing Receipt;
- (2) Filing Receipt with corrections in red ink;
- (3) Copy of the patent application transmittal letter; and
- (4) Return postcard.

In re Application of:

Jay M. Short

Application No.: 09/663,620

Filed: September 15, 2000

Page 2

PATENT

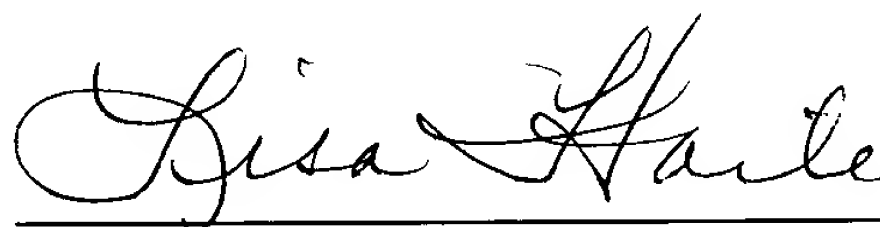
Attorney Docket No.: DIVER1140-3

No fee is deemed necessary in connection with the filing of this paper. However, if any fee is required, the Commissioner is hereby authorized to charge the amount of this fee, or credit any overpayments, to Deposit Account No. 50-1355. A copy of this Transmittal Letter is enclosed.

Respectfully submitted,

Date:

5/7/01



Lisa A. Haile, Ph.D.

Registration No. 38,347

Telephone: (858) 677-1456

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GRAY CARY WARE & FREIDENRICH LLP

4365 Executive Drive, Suite 1600

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PATENT  
Attorney Docket No.: DIVER1140-3

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) Signature

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Assistant Commissioner for Patents  
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Customer Service Center  
Washington, D.C. 20231

**REQUEST FOR CORRECTION OF FILING RECEIPT**

Sir:

This Communication is submitted to request correction of the filing receipt in reference to the above-identified application. The data requiring correction is indicated in red ink on the attached copy of the filing receipt and herein in **BOLD**.

In re Application of:

Jay M. Short

Application No.: 09/663,620

Filed: September 15, 2000

Page 2

PATENT

Attorney Docket No.: DIVER1140-3

Please correct the Continuing Data:

In the second line of the Continuing Data please delete "May 22, 1996" and Replace with  
**--May 5, 1996--.**

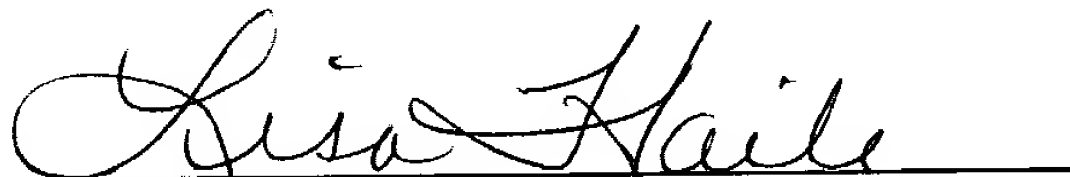
After PAT 5,939,250, please add **--which claims priority under 35 U.S.C. §119(e) to  
U.S. Provisional Application Serial No. 60/008,316, filed December 7, 1995, which is a  
continuation-in-part of U.S. Application Serial No. 09/535,754, filed March 27, 2000.--**

Applicant accordingly requests the correction be made of record.

No fee is deemed necessary in connection with the filing of this paper. However, if any  
fee is required, the Commissioner is hereby authorized to charge the amount of this fee, or credit  
any overpayments, to Deposit Account No. 50-1355.

Respectfully submitted,

Date: 5/7/01



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September 15, 2000

Attorney Docket No.: DIVER1140-3

Box PATENT APPLICATION  
Commissioner for Patents  
Washington, DC 20231

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Presented for filing is a new continuation-in-part patent application of:

APPLICANTS: JAY M. SHORT

TITLE: COMBINATORIAL SCREENING OF MIXED POPULATIONS OF ORGANISMS

Under 35 USC § 120, this application claims the benefit of prior U.S. Application Serial No. 09/375,605, filed August 17, 1999, which is a continuation of U.S. Application Serial No. 08/651,568, filed May 5, 1996, issued as U.S. Patent No. 5,939,250, which claims priority under 35 U.S.C. §119(e) to U.S. Provisional Application Serial No. 60/008,316, filed December 7, 1995. This application is also a continuation-in-part of U.S. Application Serial No. 09/535,754, filed March 27, 2000, all of the disclosures of which are incorporated herein by reference in their entirety.

Enclosed are the following papers, including all those required for a filing date under 37 CFR § 1.53(b):

Pages of Specification	100
Pages of Claims	10
Pages of Abstract	1
Pages of Declaration	2 (unsigned)

"EXPRESS MAIL" Mailing Label Number: EL476995895US  
Deposit September 15, 2000  
I hereby certify under 37 CFR 1.10 that this correspondence is being deposited with the United States Postal Service as "Express Mail Post Office to Addressee" with sufficient postage on the date indicated above and is addressed to the Commissioner for Patents, Washington, D.C. 20231

*Mikhail Bayley*  
MIKHAIL BAYLEY

Gray Cary\GT\6201930.1  
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APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLAIMS	IND CLAIMS
09/663,620	09/15/2000	1645	1158	DIVER1140-3		62	12

CONFIRMATION NO. 2110

28213

GARY CARY WARE & FRIENDENRICH LLP  
4365 EXECUTIVE DRIVE  
SUITE 1600  
SAN DIEGO, CA 92121-2189

UPDATED FILING RECEIPT



\*OC000000006018346\*

Date Mailed: 04/27/2001

Receipt is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Customer Service Center. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

**Applicant(s)**

Jay M. Short, Rancho Santa Fe, CA;

**Domestic Priority data as claimed by applicant**THIS APPLICATION IS A CIP OF 09/375,605 08/17/1999  
WHICH IS A CON OF 08/651,568 05/22/1996 PAT 5,939,250

Foreign Applications *which claims priority of U.S. Provisional Application Serial No. 60/008,316, filed 12-7-95. This application is also a Continuation-In-Part of Application Serial No. 09/535,754, filed 3-27-00.*

If Required, Foreign Filing License Granted 12/15/2000

Projected Publication Date: N/A

Non-Publication Request: No

Early Publication Request: No

**\*\* SMALL ENTITY \*\*****Title**

Combinatorial screening of mixed populations of organisms

**Preliminary Class**

435

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**Data entry by : LADRINGAN, JUDITH**

**Team : OIPE**

**Date: 04/27/2001**





**LICENSE FOR FOREIGN FILING UNDER**  
**Title 35, United States Code, Section 184**  
**Title 37, Code of Federal Regulations, 5.11 & 5.15**

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**PLEASE NOTE the following information about the Filing Receipt:**

- The articles such as "a," "an" and "the" are not included as the first words in the title of an application. They are considered to be unnecessary to the understanding of the title.
- The words "new," "improved," "improvements in" or "relating to" are not included as first words in the title of an application because a patent application, by nature, is a new idea or improvement.
- The title may be truncated if it consists of more than 500 characters (letters and spaces combined).
- The docket number allows a maximum of 25 characters.
- If your application was submitted under 37 CFR 1.10, your filing date should be the "date in" found on the Express Mail label. If there is a discrepancy, you should submit a request for a corrected Filing Receipt along with a copy of the Express Mail label showing the "date in."
- The title is recorded in sentence case.

Any corrections that may need to be done to your Filing Receipt should be directed to:



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